

THE REPUBLIC OF UGANDA

IN THE MATTER OF THE PRESS & JOURNALISTS ACT, CAP.105

AND

IN THE MATTER OF THE MEDIA COUNCIL

AND

IN THE MATTER OF A PLAY “THE VAGINA MONOLOGUES”

RULING

On 15th February 2005 the Media Council, acting in accordance with **Section 9** of the **Press & Journalists Act** that enjoins it to censure films, video tapes and plays for public consumption, received the organizers of the “**The Vaginal Monologues**” hereinafter referred to as the “**the play**”. The organizers comprised Ms Sarah Mukasa; Ms Eva Luswata both of Akina Mama wa Afrika; Ms Amanda Serumaga of Action Aid (Uganda) together with her lawyer, Mr. Luswata; Ms Saolme Kimbugwe of UWONET; Ms. Jessica Nkuuhe of ISIS-WICCE; and Ms. Rita Aciro.

The organizers informed the Media Council that the play had been presented in 76 countries including, Kenya and had been translated into more than 37 languages. They stated that the play is an advocacy and an artistic tool which used metaphor in directing public’s attention to the vagina which is the focal point in cases of violence against women. They argued that the play is an intellectual piece that does not corrupt public morals. They stated that the proceeds of the play are to benefit women groups in northern Uganda.

The organizers presented a copy of the script of the play authored by one Eve Ensler. They also showed the Council a copy of the tickets for the play marked with words “**V-DAY KAMPALA 2005**”. They explained that the word “**V-DAY**” referred to the words: Valentines, Victory and Vagina.

The organizers also informed the Council that the play was to be staged on Saturday 19th February 2005 at Ndere Cultural Centre, Ntinda at 7pm. They advised the Council that the title, content, as well as, the dates on which the play is to be staged are non-negotiable.

The Council had carefully considered the presentation of the organizers and studied the script with view of determining the following questions:-

- (i) Whether the title and content of the play meet with the requirements of the laws of Uganda?
- (ii) Whether the content of the play contains pornographic and obscene material in so far as they tend to offend or corrupt public morals? And
- (iii) Whether the play should be censured and/or prohibited?

Resolution of issues:

- (i) Whether the title and content of the play meet with the requirements of the laws of Uganda?

The Council considers the title of the play to be extra-ordinary and one that the public is likely to find, within Uganda's socio-cultural context, rather sensational, shocking and controversial. In light of this effect considering the context within which the play is to be staged; also considering the public reaction on press reports on the play; the Council is of the view that the title should be changed so as to be more socially and culturally sensitive. However, on this point, the Council was informed by the organizers that the title can not be changed due to restrictions of Intellectual Property rights dictated by the author of the play.

On the content of the play, the Council found several parts on the script with explicit expletives and obscene language including phrases like:

My vagina is angry.....Vagina Mother Fuckers.....dry
Fucking cotton stuffed up there....shit (at page 15).

*I call it cunt. I've reclaimed it, "cunt." I really like it.
"cunt." Listen to it."cunt." CC Ca Ca. cavern, cackle, clit
Ucte, come-closed c-closed inside, inside.... Then soft & warm
N – cun, cun, ...tight, tantalizing, tensing, ... tell me "cunt
Cunt," say it, tell me "Cunt." "cunt." (at page 21)*

On page 19, the script contains a narrative of a 16 year old girl who describes and glorifies the sexual act that she had with a gorgeous 24 year old woman as follows:-

*...she leans over me and kisses me so softly on the lips with
Her lips and then puts her tongue in my mouth. Wow.
There is a picture over her bed of a naked Black woman
With...she gently and slowly lays me out on the bed and
just our bodies rubbing makes me come.I get crazy wild
and then the phone rings. ...she makes me play with myself
in front of her and she teaches me all the different ways to
give myself pleasure.she tells me to always know how to
give myself pleasure do I'll never need to rely on a man.
She transformed my sorry –ass Coochin Snorcher and raised it
Into a kind of heaven.*

At page 9 of the script, the author compares a clitoris to a penis. She argues that the clitoris has twice the number of nerves than a penis, she then asks a question.”who needs a hand gun when you’ve got a semi automatic?” it is clear that this part aims to encourage women to find sexual satisfaction either with fellow women or by themselves.

The Council considers the above parts of the script as examples that clearly demonstrate and promote un natural sexual acts, lesbianism or homosexuality that offend Uganda’s policies and laws.

Whereas the Council agrees with the organizers on the need to urgently address sexual violence against women, it holds the strong view that liberal values as well as artistic freedoms should not be the high altar on which societal cultural values and public morality should be sacrificed. Further, that art should not be a basis for the promotion of prostitution, pornography or homosexuality all of which are expressly or impliedly done in the play.

At pages 22 & 23, the script states:

*Sex workers ... she was a sex worker but she only did sex
Work with women. ... I love vaginas. I love women. I do not
See them as separate things. Women pay me to dominate
Them, to excite them, to make them come. ... moaning was
The thing that ultimately seduced me and got me addicted to
Making women happy. When I was a little girl and I would
See women in the movies making love, making strange
Orgasmic moaning noises, I used to laugh. I got strangely
Hysterical. ...I longed to moan, I practiced in front of my
Mirror, on a tape recorder, moaning in various tones. But
Always when I played it back, it sounded fake. ... I made
Love to quiet women and I found this place inside them and
They shocked themselves in their moaning. I made love to
Moaners and they found a deeper, more penetrating moan.*

The Council finds that this part of the script glorifies both directly and implicitly
Promotes prostitution and lesbianism; which is contrary to the law in Uganda.

- (ii) **Whether the content of the play contains pornographic matter and obscene publications in so far as they tend to offend or corrupt public morals?**

The Council considers that the sexually explicit language and slang used in parts of the

script outlined above is unsuitable to an audience containing people who are underage yet there are no age restrictions on the advertisements and tickets for the play. The Council holds a strong view that there should be age restrictions on play-goers before it can be presented to the general public.

(iii) Whether the play should be censured and/or prohibited?

The Council finds that the play address several cases of violence against women. It describes unimaginable and unacceptable forms of mutilation, violence and pain suffered by women across the world. The Council is unequivocal on the urgent need to address these cases with a view to stop the in humane, degrading, abusive and cruel treatment of women.

However, the Council finds that the play, alongside the parts on violence and abuse, prominently promotes and glorifies acts of unnatural sex, masturbation, lesbianism or homosexuality. In this regard, the Council holds the firm view that, to the extent that the play contains material that promotes illegal acts of unnatural sexual acts, homosexuality and prostitution, it should be and is hereby banned. This will not be the case if the organizers expunge all the offending parts to the satisfaction of the Council.

In addition to expunging the parts that offend the law and those that may offend or Corrupt public morals, the Council holds that the organizers should restrict the play to **Adults only**. They must inform the general public that the play contains scenes and Languages of a graphic nature that may be offensive to sections of the public Accordingly, the organizers should make prominent advertisements in the media, on the tickets as well as at the venue that there are age restrictions.

Dated this 16th day of February 2005 at Kampala

Rev.Fr.J.M.Waliggo (Chairman)

Mr. P.Ekochu (Member)

Mr. R. Rutaagi (Member)

Mr. A.Sekalala Jr. (Member)

Mr. James Walugembe (Member)

Mr. A.N.Makubuya (Member)

Mrs. Constance Byabagambi (Secretary)